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PRO SE PLAINTIFF IN MS



IN THE US DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

Dr. Orly Taitz, ESQ et al)	CASE 12-CV-280
v)	HON. HENRY WINGATE
Democratic Party of Mississippi et al)	PRESIDING

NOTICE OF ADDITIONAL EVIDENCE OF FRAUD

MOTION/REQUEST FOR AN EMERGENCY EVIDENTIARY HEARING

BRIEF IN SUPPORT OF MOTION

1. On October 22 a trial was conducted in the state of Indiana on the issue of Declaratory Relief, plaintiffs seeking candidate Obama pronounced not eligible for the U.S. Presidency due to his use of forged IDs and a stolen Connecticut

Social Security number xxx-xx-4425 Taitz, Swihart, Kern, Kessler, Weyl, Ripley v Elections commission, Secretary of State. No.: 49D14-1203-MI- 012046

The official transcript is not ready yet, as such Taitz forwards to this court the audio tape of trial with sworn testimony of witnesses. Exhibit 1.

Of great importance is testimony of Paul Irey, former employee of NSA (National Security agency) with top clearance, who testified that he has 57 years of extensive experience in typesetting, typing and computer graphics programs. Irey testified that Obama's alleged birth certificate is a forgery. Exhibits presented by Irey were accepted into evidence over the objections by the defense.

Irey testified that based on his 57 years of experience it is impossible to have a typewritten birth certificate with letters of different fonts, sizes, with different spaces between letters and with a white halo around words. Defense did not have any evidence in rebuttal.

2. Another witness, Felicito Papa, who holds a degree in Information Technology from the Indiana Institute of Technology, testified that multiple layers in Obama's birth certificate were evident due to the fact that Adobe Illustrator program was used to create it. Papa testified that Obama's birth certificate cannot be genuine, that it is a forgery, due to the fact that Adobe Illustrator was created only about 10 years ago, it did not exist 51 years ago when Obama was born. Papa's exhibits were

accepted into evidence over stringent opposition of the Defense. Defense did not have any witnesses or any exhibits in rebuttal.

3. Unexpectedly, after trial Presiding judge decided to retroactively vacate trial for an unrelated reason, mainly because the transcript of the elections challenge by the Election Commission was not submitted within 30 days as required by the Indiana law. A motion for reconsideration is expected to be filed within allowed 30 days. Regardless of the current litigation posture in Indiana, official audiotape is on file, is provided herein, as it represents extremely important irrefuted evidence of forgery in Obama's birth certificate, which is at the center of this case at hand.

4. Plaintiff Taitz received an affidavit from Henry Wayland Blake, PhD. Exhibit 2 herein Mr. Blake has followed the cases of Barack Obama's eligibility and reviewed the documents submitted to this court by Sam Begley and Scott J. Tepper, Attorneys for Defendants Democratic Party of Mississippi, who also serve as attorneys for Defendants Barack Obama, Nancy Pelosi, "Obama for America" and Michael Astrue. Documents reviewed are listed below:

05/04/2012 15 MOTfON for Judgment on the Pleadings by Democrat Party of Mississippi

(Attachments: # 1 Exhibit LFBC from White House, # 2 Exhibit COLB from Campaign, # 3 Exhibit DOH Verification re White House BC, # 4 Exhibit Hawaii Gov April 27 2011 News Release, # 5 Exhibit DOH White House Correspondence, # 6 Exhibit DOH 08-93 News Release, # 7 Exhibit DOH 09-063 News Release, #

8 Exhibit CDC Report reBirth Certificate History)(Begley, Samuel)

(Entered:

05/04/2012) [.pdf (page 8)]

and

06/06/2012 35 MOTTON to Supplement Counsel for M.DEC's Response 30
in Opposition to

Plaintiff Taitz's Motion for Sanctions 25 re 30 Response to
Motion, by Democrat Party of Mississippi (Attachments: # 1
Exhibit MDEC Counsel Request to HI DOH for Verification of
President Obamas Hawaiian Birth Cert, # 2 Exhibit Hawaii DOH
Verification of President Obamas Hawaiian Birth - Issued May 31

2012)(Begley, Samuel) (Entered: 06/06/2012) [.pdf (page 11)]

see also court document

10513240131.pdf 05/26/2012 Re: Request for Verification of Vital
Records Pursuant to Hawai'i Rev. Stat. § 338-14.3 and 338-18(g)(4)
(.pdf(page4))

According to Mr. Blake an image of Obama's birth certificate was significantly altered, when it was sent by Attorney Scott Tepper to defendants Fuddy and Onaka.

significant alterations are listed below

V. I found that the alterations to the (page 8) image copy to create the (page 4/11) image

copy are extensive as

follows:

1. A second Case Label was added
2. The (page 8) image was flattened, rasterized and green color was added
3. The color of all text was changed from near-Black to Black-Green
4. Numerous form lines were repaired or replaced entirely
5. The basket-weave background was softened and touched up
6. Specific words were made selectable by mouse and cursor in Adobe Reader
7. Hidden editing was applied (see 8.- 11. below):

8. Ten Line Objects were added
 9. Two Green Color objects were added
 10. Two Broad-line Strikeouts were applied, one to the words "Kapiolani Maternity & Gynecological", and the other to the word "August"
 11. Seven Rectangular Black Redaction Box Objects were added which altogether cover nearly all of the typed text
- VI. The remaining typed, stamped (or form) words left unstruck or unredacted and appearing on the hidden image of (page4111) are:
1. Both Case Labels
 2. State of Hawaii Certificate of Live Birth Department of Health
 3. 61 10641 (file number 151 is redacted)
 4. Barack Hussein Obama, II ("X" in single-birth box)
 5. Honolulu (in two places)
 6. 6085 Kalanianaʻole Highway
 7. Labels for ten form-boxes
 8. State Registrar's date and signature stamps

VII. Words which can be selected on (page 4/11) by mouse and cursor in Adobe Reader are:

1. Both Case Labels
2. State of Hawaii Certificate of Live Birth Department of Health
2. 61 10641 (File number 151 is non-selectable)
3. Barack Hussein Obama,
4. Honolulu
5. Kapiolani Maternity & Gynecological Hospital
6. 6085 Kalanianaʻole
7. Hussein Obama
8. University
9. State Registrar's date and signature stamps.

Blake also forwarded to Taitz screen shots, showing how those alterations were done and explanations. Shortly after the affidavit by Blake was made public by Taitz, Tepper e-mailed Taitz and other plaintiffs a proposed settlement offer, where he wanted Taitz not to make any "defamatory remarks" about defendants and their attorneys and pay \$25,000 attorneys fees to Attorney Begley or otherwise defendants will go after Plaintiffs seeking a much higher amount. Considering the fact that neither Taitz nor any of the Plaintiffs have stated anything defamatory;

that all of their statements were true statements based on sworn affidavits and neither have done anything frivolous to warrant any award of fees, Taitz believes that this "offer" was a form of intimidation, particularly an intimidation of co-plaintiffs and desire to silence Taitz and co-plaintiffs regarding modifications in the image of the alleged birth certificate, which was sent by Pepper to the director of Health Loretta Fuddy. Further Pepper and Begley engaged in a campaign of harassment and intimidation, appeared on the radio, specifically RCR blogtalk radio, where they threatened that they will be going after the house of Taitz. This was done with a clear desire to intimidate and harass not only Taitz, but her whole family, her husband and her 3 children.

4. This comes on the heels of a motion for sanctions which was filed by Taitz against Pepper and Begley after they filed a motion for judicial Notice regarding the alleged birth certificate, even though Judicial notice can be issued only regarding the matter which is not subject to dispute. When Pepper and Begley sought such judicial notice they had in front of them multiple affidavits showing the alleged birth certificate to be a forgery.

5. After a motion for sanctions Pepper requested a verification of the alleged Obama's birth certificate from defendant and Director of Health of the state of Hawaii Loretta Fuddy. Such request for verification appear to be a discovery in this case, which was conducted in violation of a stay of discovery issued by your

Honor. Moreover, since Fuddy and Onaka are defendants herein, their confirmation cannot be treated as unbiased. Request from Tepper to Fuddy contained an image of birth certificate which according to Henry Wayland Blake PhD contained significant alterations to the original birth certificate. Additionally, the wording of the verification was intentionally misleading and did not contain usual language where one is seeking verification that the document in question is a true and correct copy of the original birth certificate on file. He never asked if it was a *true and accurate copy* which is the language any competent lawyer asking to corroborate a document would use - unless he knew or suspected it wasn't a true and accurate copy. The wiggle room that question leaves is the **lack of information in a field**. If the field for indication of a late filing (which might mean an out of state birth) were blank on the Whitehouse copy (which it is) , but had an entry in the DOH copy, the way the question was phrased- the DOH would say the information on the 2 forms matched because since there was **NO INFORMATION** in the field on the WH copy, that field is skipped and not compared to the field in the DOH copy. The state of Hawaii has statutes 338-5 and 338-6 which allow for late birth certificates and birth certificate received as a replacement when the birth certificate is lost or destroyed or amended.

6. Tepper and his local co-counsel proceeded to file their verification and the attached affidavit with this court.

They also stated in their pleadings

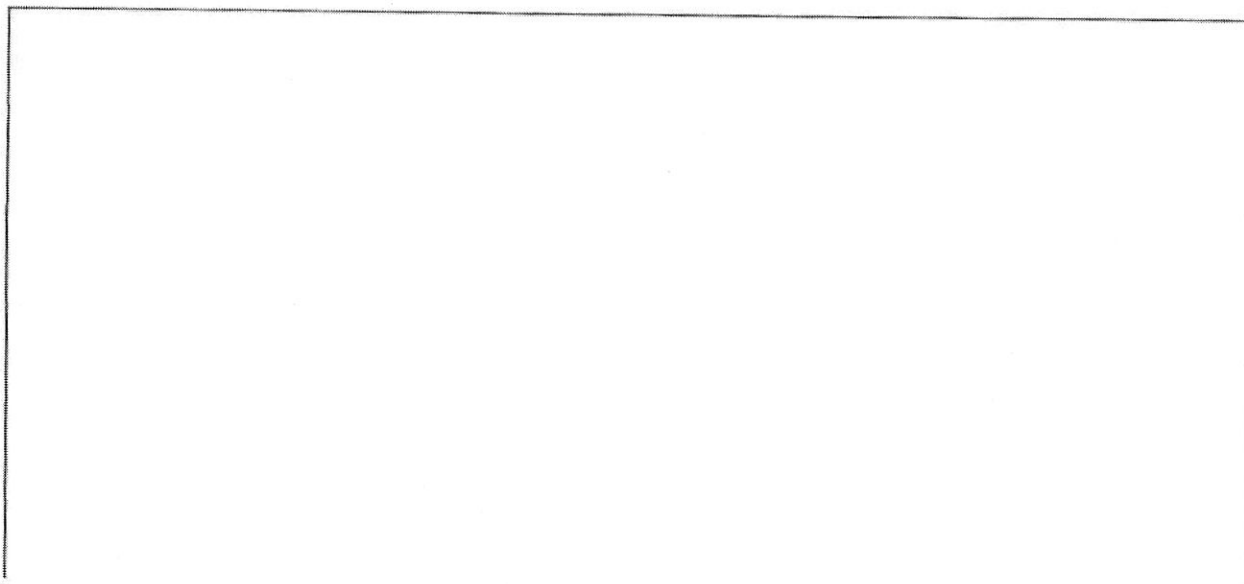
"10. To be clear, MDEC Counsel had no doubts regarding the veracity of the LFBC posted at whitehouse.gov when it submitted a copy of the document with its JOP Motion [ECF No. 15-I]."

Document 35 herein

This statement was clearly yet another attempt to mislead the court, as when Begley and Tepper filed their motion for judicial notice, they had in front of them multiple sworn affidavits attesting to the fact that this is a computer generated forgery and more importantly they had a videotape of sworn affidavits of witnesses, including Senior deportation officer John Sampson as well as a whole one hour press conference by Sheriff Joseph Arpaio, where Arpaio and his investigator Mike Zullo have demonstrated in great detail how this forgery was created, how a stamp of the Registrar and the date stamp were imported from different documents.

7. Further on during the motion hearing in this court Tepper verbally attacked Taitz and accused he of "bald face misstatement", stating that he did not seek a judicial notice of Obama's birth in Hawaii.

In response Taitz read from Tepper's own pleadings (page 73 of the motion hearing transcript)



1 The plaintiffs' claim that President Obama is ineligible
2 because of purportedly invalid identification papers is
3 frivolous. The plaintiffs have failed to even claim or provide
4 any factual allegations to support such a claim that the
5 president was not born in the United States.
6 Moreover, the court should take judicial notice of the fact

7 that the State of Hawaii has fully verified that President

8 Obama was born in Hawaii.

Exhibit 3 P1 and pages 71-73 of the certified transcript of September 24 hearing before this court.

Due to the fact that Mr. Obama was recently re-elected for 4 more years and due to evidence of forgery in alleged copies of Mr. Obama's identification records and a pattern of obfuscation of any and all original records and due to the new evidence submitted herein, plaintiff Taitz seeks an emergency evidentiary hearing and production by defendants Onaka and Fuddy of the original birth certificate and original microfilm for expert examination, as well as production by defendant Astrue of the original application to the Connecticut Social Security number xxx-xx-4425, so it can be done prior to certification of Obama's electoral votes by the electoral college.

Based on Chambers v Nasco 501 U.S. 32 (1991) this court has to use its inherent power and conduct investigation of fraud committed by the Defendants in covering up Obama's forged IDs as well as possible fraud committed by the defendants' attorneys. Moreover, aiding and abetting a foreign national in usurping the U.S. Presidency and the position of Commander in Chief while using forged IDs may be

construed as engaging in treason and in Misprision of Felonies under 18U.S. §4, which makes it even more urgent for this court to conduct an independent investigation at the earliest convenience.

Such relief is justified and it is in public policy, as it will assure proper resolution of the issue of forgery in the IDs of a U.S. President.

CONCLUSION

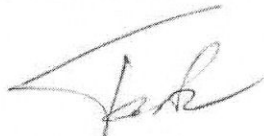
This court should conduct an emergency evidentiary hearing in regards to forgery in the Barack Obama's IDs and in conjunction to a motion for sanctions by the Plaintiffs against attorneys Tepper and Begley.

/S/ ORLY TAITZ, ESQ

11.08.2012

DECLARATION OF ORLY TAITZ

1. Audio CD attached herein is a true and correct copy of the Audio CD given to her after trial in Taitz et al elections commission et al No.: 49D14-1203-MI-012046



2. Affidavit of Henry Blake is a true and correct copy of such affidavit received by me

/s/ Orly Taitz



Brian Feiler

co-plaintiff

11.08.2012

NOV 9, 2012

cc Congressman Gregg Harper (R-MS)

Chairman

United State House Administration Subcommittee on Election

307 House Office Building

Washington DC 20515

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cc Gregg Harper, Mississippi, Chairman

Aaron Shock, Illinois

Rich Nugent, Florida

Todd Rokita, Indiana

Bob Brady, Pennsylvania, Ranking Member

Charlie Gonzalez, Texas

cc Congressman Darrell Issa

Chairman

House Oversight Committee

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cc Congressman Mike Rogers

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cc Congressman Sam Johnson

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950 Pennsylvania Ave, NW

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